

AMENDED IN ASSEMBLY APRIL 19, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1477

Introduced by Assembly Member DeVore
(Coauthors: Assembly Members Mountjoy and Plescia)

February 22, 2005

An act to amend Section 9105 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1477, as amended, DeVore. Vehicles: state militia exemptions.

Existing law exempts a vehicle owned by a disabled veteran, a former American prisoner of war, or a Congressional Medal of Honor recipient from specified vehicle license fee requirements where the vehicle is a passenger vehicle, a motorcycle, or a commercial vehicle of less than 8,001 pounds of unladed weight. Under existing law, the active militia of the state consists of the National Guard, State Military Reserve, and the Naval Militia.

This bill would, in addition, provide that exemption to active members of the militia of the state.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 9105 of the Vehicle Code is amended to
2 read:
3 9105. (a) ~~The fees specified in this code, except fees for~~
4 ~~duplicate plates, certificates, or cards, need not be paid for any of~~
5 ~~the following vehicles, that are of a type subject to registration~~

1 under this code, and that are not used for transportation for hire,
2 compensation, or profit, when owned by any former American
3 prisoner of war, any disabled veteran, any active member of the
4 militia of the state, or any Congressional Medal of Honor
5 recipient:

6 (1) ~~Any passenger motor vehicle.~~

7 (2) ~~Any motorcycle.~~

8 (3) ~~Any commercial motor vehicle of less than 8,001 pounds~~
9 ~~unladen weight.~~

10 ~~(b) Except for fees for duplicate plates, duplicate certificates,~~
11 ~~or duplicate cards, the fees specified in this code need not be~~
12 ~~paid for a vehicle that is a type subject to registration under this~~
13 ~~code, and that is not used for transportation for hire,~~
14 ~~compensation, or profit, when owned by any of the following:~~

15 (1) *A disabled veteran.*

16 (2) *A former American prisoner of war.*

17 (3) *An active member of the militia of the state.*

18 (4) *A Congressional Medal of Honor recipient.*

19 (b) *For the purposes of this section, the term "vehicle" means*
20 *any of the following:*

21 (1) *A passenger motor vehicle.*

22 (2) *A motorcycle.*

23 (3) *A commercial motor vehicle of less than 8,001 pounds*
24 *unladen weight.*

25 (c) The exemption granted by subdivision (a) shall not extend
26 to more than one vehicle owned by any former American
27 prisoner of war, any disabled veteran, any active member of the
28 state militia, or any Congressional Medal of Honor recipient and
29 is applicable to the same vehicle as described in subdivision (b)
30 of Section 10783 of the Revenue and Taxation Code.

31 ~~(e)~~

32 (d) (1) The department may require any disabled veteran
33 applying for an exemption under this section to submit a
34 certificate signed by a physician or surgeon substantiating the
35 disability.

36 (2) The department may require any person applying for an
37 exemption under this section for either of the following reasons
38 to do any of the following:

1 (A) By reason of the person's status as a former prisoner of
2 war, to show, by satisfactory proof, his or her former
3 prisoner-of-war status.

4 (B) By reason of the person's status of receiving the
5 Congressional Medal of Honor, to show, by satisfactory proof,
6 that he or she is a Congressional Medal of Honor recipient.

7 (C) By reason of the person's status as an active member of
8 the militia of the state, to provide a certificate attesting that he or
9 she is an active member of the militia of the state in good
10 standing, which shall be provided by the Adjutant General. As
11 used in this section "active member of the militia of the state"
12 does not include a member of the unorganized militia when
13 called into active service.

14
15
16 **CORRECTIONS:** _____

17 **Text — Pages 1 and 3.**
18 _____